

Application No.: 09/664,434

side of a sheet of paper. Accordingly, it is respectfully requested that the objection to the specification and claims be reconsidered and withdrawn.

Finally, the Examiner objected to the papers submitted to establish ownership. A certificate under 37 C.F.R. § 3.73(b) is submitted with this response to establish ownership of the patent sought to be reissued in Matsushita Electric Industrial Co., Ltd. Accordingly, it is believed that the submission of the certificate establishes the ownership interest required under the rules.

For the foregoing reasons, it is submitted that the claims 1-21 and 30-37 are now in condition for allowance. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicant's attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,
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22. An optical disk of the type having: a recording layer in which pits are arranged at predetermined positions in the track direction in accordance with a modulation signal thereby data are recorded, an edge of each of selected ones of said pits being shifted from each of said predetermined positions in the track direction in accordance with arrangement information.

23. The optical disk as set forth in claim 22 wherein a signal obtained by encrypting said arrangement information is also recorded.

24. The optical disk as set forth in claim 22 wherein said recording layer is divided into first and second areas such that said edge of each of selected one of said pits is shifted in accordance with said arrangement information in said first area and said edge of each of said pits is not shifted for each of said predetermined positions in said second area.

25. A reproducing system for an optical disk of the type having a recording layer in which pits are arranged at predetermined positions circumferentially in accordance with a modulation signal thereby data are recorded, and specific pits among said pits are shifted from said predetermined positions circumferentially, comprising:

a check section for checking whether or not an edge of each of selected ones of said pits corresponding to a reproduced signal and an edge of each of selected ones of said pits corresponding to arrangement information determining circumferential arrangement state of each of said pits have a specific relationship in the circumferential arrangement by processing said reproduced signal using said arrangement information; and

a reproduction/program stopping section responsive to said check section for carrying out data reproduction and/or operations according to a reproduced program when a result of checking by said check section indicates said specific relationship, and for stopping data reproduction and/or operations according to said reproduced program when said result of checking by said check station does not indicate said specific relationship.

26. The reproducing system as set forth in claim 25, wherein said check section is arranged to determine whether or not said optical disk is either legally manufactured or legally copied or not so that a reproduced signal is outputted only when it is determined that said optical disk is legally manufactured or legally copied.

27. The reproducing system as set forth in claim 25, wherein said check section is arranged to check said pits of a specific address.

28. The reproducing system as set forth in claim 25, further comprising a cipher decoder for decrypting said arrangement information which is encrypted, thereby said check section is arranged to perform checking with respect to reproduced signal using said arrangement information decrypted by said cipher decoder.

29. The reproducing system as set forth in claim 25, wherein said information including said arrangement information is picked up by an optical head from said optical disk.